

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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**JAMES HARRELL, individually and on  
behalf of all others similarly situated,**

**Plaintiff,**

**v.**

**WILLOUGHBY, INC.,**

**Defendant.**

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**No. 2:10-cv-02685-SHM-tmp**

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**NOTICE OF VOLUNTARY DISMISSAL**

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Plaintiff, pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, hereby serves a Notice of Voluntary Dismissal of this case, the Defendant having not appeared in this case.

Respectfully Submitted,

By: s/B. J. Wade

B. J. Wade (# 05182)

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*Attorneys for Plaintiff and Proposed Class Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 8, 2012, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all parties receiving electronic notice.

s/B. J. Wade

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B. J. Wade